

Docket No. MCGEP0179US

Serial No. 09/628,036

REMARKS

Upon entry of the present Supplemental Reply, claims 1-27, 43-48, 50-52 and 84-125 are pending in the present application. Claims 1, 3, 43-48 and 50-52 are amended, new claims 84-125 are added, and claims 32-42, 49 and 53-63 are canceled herein. Claims 43-48 and 50-52 are amended to depend from independent claims 1 and 84, respectively. The amendment of claim 1 and new claims 84-125 are supported in the claims as originally filed. Claim 3 is amended to correct a typographical error in the previously submitted amendment of this claim, and is supported in the claims as filed.

Since the fee for 83 claims was originally paid, and upon entry of the present amendment, 78 claims (including 3 independent claims) are pending, no additional claim fee is believed due for submission of new claims 84-125.

Applicants respectfully request reconsideration of the rejections set forth in the Office action dated April 4, 2002, based on the foregoing amendments and the following remarks.

Telephonic Interviews

Although the Examiner indicated it was not necessary for Applicants to submit an Interview Summary, Applicants do so in particular to express their gratitude for the time taken by the Examiner in discussing this case with Applicants' attorney. Specifically, Applicants' undersigned attorney wishes to thank the Examiner for the several telephone interviews had from September 9-13. In the interviews, discussion was had relating to the scope and content of the prior art and the scope and content of Applicants' specification and claims, and the differences therebetween. In addition, discussion was had relating to possible amendments of the claims in order to properly define Applicants' invention. The Examiner's comments and suggestions are genuinely appreciated, and have been carefully considered and incorporated as appropriate into the foregoing proposed amended claims.

Docket No. MCGEP0179USSerial No. 09/628,036**Rejections over the Prior Art**

Applicants respectfully submit that the presently submitted claims patentably distinguish over the cited prior art. The presently submitted claims are drawn to embodiments of the invention which the Examiner has indicated to be allowable. The Examiner is requested to reconsider the rejections, and to indicate the allowability of the presently submitted and pending claims.

Rejection of Claim 9 as Lacking Enabling Disclosure

As noted in the previous Reply, Applicants gratefully acknowledge the Examiner's indication that claim 9 is allowable, contingent upon resolution of the issue relating to enablement of the aspect ratio set forth in the claim. Applicants' previously submitted comments stated that "the purpose of the careful selection of etchant solutions and of the various inhibitors added to the etchant solutions is to protect the grain surfaces with respect to the grain boundaries and to direct the etching to the grain boundaries". The "careful selection of" is/was intended to encompass the disclosed intergranular etching compositions, as opposed to indiscriminate use of prior art etching compositions, in order to obtain the specified aspect ratio. The scope of this claim encompasses the disclosed intergranular etching compositions which achieve an aspect ratio of at least 5, as defined in the specification. This claim simply recites that the intergranular etching is carried out as disclosed until the specified aspect ratio is achieved. Applicants respectfully submit that this is fully enabled. To the extent that one might assert that such an aspect would be inherent in the disclosed intergranular etching compositions, anticipation by inherency requires that a result must necessarily be obtained. Applicants respectfully submit a person of skill in the art would not understand that the specified aspect ratio would necessarily be obtained. Accordingly, Applicants request reconsideration and withdrawal of this rejection.

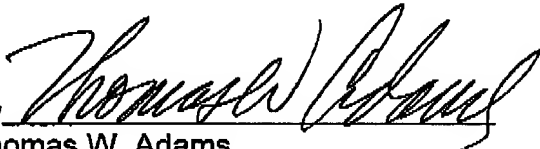
Docket No. MCGEP0179USSerial No. 09/628,036**CONCLUSION**

Applicants respectfully submit that, at least for the foregoing reasons, the presently claimed invention patentably distinguishes over the prior art. Accordingly, Applicants request the Examiner to allow the present claims to proceed to issue.

In the event issues remain in the prosecution of this application, Applicant requests that the Examiner call the undersigned to expedite allowance of the application. Since the fee for 83 claims was originally paid, and upon entry of the present amendment, 78 claims (including 3 independent claims) are pending, no additional claim fee is believed due for submission of new claims 84-125. No other fees are believed required as a result of the present paper; however, in the event any fees are required for the filing of these papers the Commissioner is authorized to charge those fees to Deposit Account #18-0988, Docket No. MCGEP0179US.

Respectfully submitted,
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Date: September 17, 2002

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